



**Town of Tyngsborough
Board of Appeals**

Town Hall-25 Bryants Lane
Tyngsborough, Ma 01879-1003
(978) 649-2300, Ext. 112

Board of Appeals Minutes from January 11, 2007.

Members Present- Robb Kydd, Gary Ralls, Eileen Farrell, Claire Cloutier, Chris Mechalides, and Cheryl Bradley.

Atty. Lisa Mead was present at the hearing representing the board on Chapter 40B issues.

1st Hearing-

Danny R. & Katherine Ayers, 68 Mascuppic Trail, Map 32B, parcel 32-0, request special permit for height, variance for side yard setbacks for the construction of a new house, existing house to be razed. Renewal of variance and special permit that was granted in December 2004 which has expired. R-2 Zone, sections 2.15.22, 2.15.24, 2.12.50.

Legal notice read. Advertised in the Lowell Sun on December 28, 2006 & January 4, 2007. Town Boards notified. No challenges to the legal notice or abutter notification. Motion to waive the reading of the abutters list by Farrell. Seconded by Mechalides. Vote 5-0.

Application presented by Danny & Katherine Ayers.

No abutters were present to speak for or against the application

Issues raised by the board were-the deed from the current owner is not included in the application.

Motion to continue hearing to Feb. 8, 2007 by Gary Ralls, seconded by Claire Cloutier. Vote 5-0. Continued hearing due to the board wants to get the correct deed with this application.

Other Business

Peter Cricones- Whispering Pines discussion of his project. Representing the board was Atty. Lisa Mead.

Review by Board, Lisa Mead, and applicant. Discussion on the Agreement for Judgment or Decision for Comprehensive Permit on paragraphs 5- not submitted to Lisa Mead, paragraph 9- boards engineer needs to review plans, paragraph 17- escrow account established, paragraph 31- contractor-letter verifying hiring of contractor. No action by the ZBA tonight.

Maple Ridge Development- The board discussed the original documents with Lisa Mead and directed her to negotiate with Walter-Maple Ridge project for a lesser amount than the \$15K since that figure is not documented anywhere that Lisa could point to. Action- Lisa Mead will work with Walter on an amount agreeable between her and Walter, Dave Sanderson's letter indicated that there is future supervision needed by his company at some point in the future when the development of the project picks up.

Minutes-

Motion to approve minutes from December 14, 2006 by Ralls, seconded by Cloutier. Vote 5-0.

Motion to close the meeting by Gary Ralls, seconded by Farrell. Vote 5-0.

Minutes taken by Cheryl Bradley.